

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

3M Company,

Civil No. 08-827 (JNE/SRN)

Plaintiff,

v.

ORDER

Darlet-Marchante-Technologie SA,

Defendant.

Larry D. Espel, Esq., Greene Espel, PLLP, 200 South 6th Street, Suite 1200, Minneapolis, MN 55402-1415, for Plaintiff.

Phillip R. Krass, Esq., Krass Monroe, PA, 8000 Norman Center Drive, Suite 1000, Minneapolis, MN 55437-1178, for Defendant.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that the Defendant's Motion to Dismiss [Doc. No. 21] is **DENIED**.

Dated: May 5, 2009

s/ Joan N. Ericksen

Joan N. Ericksen

United States District Judge